

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Docket No. 04-10949-NMG

ALICE KIEFT,
Plaintiff

v.

AMERICAN EXPRESS COMPANY,
ET AL.,
Defendants

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT and
REQUEST FOR HEARING**

Pursuant to Fed. R. Civ. P. 56(b), defendants American Express Company ("American Express"), American Express Company Long Term Disability Plan ("LTD Plan"), and American Express Company Life Insurance Plan ("Life Insurance Plan"), hereby move for summary judgment in their favor on all counts of the plaintiff's Amended Complaint.

In support of this motion, defendants rely upon the following:

- 1) Memorandum in Support of Defendants' Motion for Summary Judgment;
- 2) Defendants' Statement of Material Facts;
- 3) Affidavit of Coleen A. Lyons, with supporting exhibits; and
- 4) Affidavit of Laura Sullivan, with supporting exhibits.

REQUEST FOR ORAL ARGUMENT

Defendants respectfully request oral argument on this motion.

WHEREFORE, defendants respectfully request that this Court grant their motion summary judgment.

DEFENDANTS,
By their attorneys,

/s/ Constance M. McGrane
James F. Kavanaugh, Jr., Esq. (BBO #262360)
Constance M. McGrane, Esq. (BBO #546745)
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Local Rule 7.1 Certification

Pursuant to Local Rule 7.1, the undersigned counsel certifies that she has conferred and attempted in good faith to resolve the issues in the case with plaintiff's counsel.

/s/ Constance M. McGrane
Constance M. McGrane

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